



JON S. CORZINE
Governor

New Jersey Office of the Attorney General

Division of Consumer Affairs
State Board of Psychological Examiners
124 Halsey Street, 6th Floor, Newark, NJ 07102



ANNE MILGRAM
Attorney General

DAVID SZUCHMAN
Director

January 7, 2010

By Certified and Regular Mail

Barbara Fleischer, Ph.D.
4286 Route 516
Matawan, NJ 07747

FILED WITH THE BOARD OF
PSYCHOLOGICAL EXAMINERS
ON January 15, 2010
J. Michael Walker

Mailing Address:
P.O. Box 45017
Newark, NJ 07101
(973) 504-6470

Re: Offer of Settlement In Lieu of Filing a Formal Disciplinary Complaint

Dear Dr. Fleischer:

This letter is to advise you that the New Jersey State Board of Psychological Examiners (the "Board") has had an opportunity to review information concerning your application for reinstatement of license to practice psychology in the state of New Jersey that was received on August 21, 2009. Specifically, the information reviewed included the reinstatement application that indicated that the last renewal was due June 30, 2009 or thirty (30) days from this date and an affidavit advising the Board that during the lapsed licensure period you continued to practice psychology on a full time basis at a private practice located at 4286 Route 516, Matawan, New Jersey. The information supplied to the Board stated that you were unable to renew on-line due to a lack of internet service and that the requested paper renewal was never received. The Board's records indicate that renewal notices were sent to your last known address at 4286 Route 516, Matawan, New Jersey.

Upon review of all available information, the Board has reinstated your license and has preliminarily found that probable cause exists to support a finding that you violated N.J.S.A. 45:1-7.1(b) and (c) in that you failed to renew your license within thirty days of the June 30, 2009 renewal period resulting in a suspended license. You thereafter continued to practice with a suspended license from July 30, 2009 to September 11, 2009 at which time your license to practice psychology was reinstated.

At this juncture, the Board has preliminarily concluded that the above violations are sufficient to warrant the initiation of formal disciplinary proceedings against you. Notwithstanding that decision, however, the Board has determined that it will first offer you an opportunity to settle this matter, and thereby avoid the initiation of disciplinary proceedings, should you consent to:

1. Cease and desist from engaging in violation of N.J.S.A. 45:1-7.1(b) and (c) by practicing psychology without timely renewal of licensure.

Barbara Fleisher, Ph.D.

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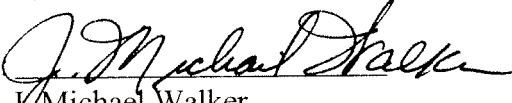
2. Pay a penalty in the amount of \$250.00 which represents a penalty for continuing to engage in the practice of psychology with a suspended license from August 1, 2009 - September 11, 2009. (Payment is to be made by certified check or money order and sent immediately upon your signing of the acknowledgment at the bottom of this letter. Pursuant to N.J.S.A. 45:1-25 "any person who engages in any conduct in violation of any provision or act or regulation administered by the board shall, in addition to any other sanctions provided herein, be liable to a civil penalty of not more than \$10,000 for the first violation and not more than \$20,000 for the second and each subsequent violation..."

If you are willing to settle this matter on the offered settlement terms, you may do so by signing the acknowledgment at the bottom of this letter, and returning it to the Board office. Upon your signature, this letter will be a matter of public record.

In the event you are unwilling to settle this matter on the offered terms, it will be referred to the Attorney General's office for the initiation of appropriate enforcement action. In such event, you will be afforded an opportunity to defend against the alleged violations. If an evidentiary hearing is deemed warranted the Board will either conduct that hearing at a date and time to be scheduled or refer the matter to the Office of Administrative Law. You are advised, however, that in the event formal charges are filed, the Board may assess civil penalties in an amount greater than that herein offered in settlement should any charges against you be sustained. Additionally, the Board may, if the facts are found to so warrant, enter an order, requiring you to reimburse certain monies and/or requiring you to pay costs incurred by the Board. Should you have any questions concerning this letter or the settlement offer herein, I suggest that you contact Deputy Attorney General Carmen A. Rodriguez who may be reached at (973) 648-3696.

If you elect to settle this matter presently, you should sign the acknowledgment at the bottom of this letter and return it to the Board within fifteen (15) days following your receipt of this letter. In the event that the Board receives no response from you within fifteen (15) days, the Board's settlement offer will be withdrawn, and the matter will be referred to the Attorney General's Office for the initiation of appropriate enforcement proceedings.

NEW JERSEY STATE BOARD OF
PSYCHOLOGICAL EXAMINERS


By 
Michael Walker
Executive Director

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ACKNOWLEDGMENT: I, Barbara Fleischer, Ph.D. , hereby acknowledge that I have read and reviewed the settlement proposal set forth in the above letter. I acknowledge the conduct which has been charged. I am aware that, by signing this acknowledgment, I am waiving any rights I may have to defend myself against any charges of wrongdoing at an administrative hearing. I am also aware that the action taken against me by the Board herein is a matter of public record, and that this letter is a public document. I hereby agree to pay a penalty in the amount of \$250. (to be paid upon signing of this acknowledgment).


Barbara Fleischer, Ph.D.

Dated:

cc: Carmen A. Rodriguez, Deputy Attorney General